

021104

13281 U.S. PTO

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

Attorney Docket No. 16517.308

First Inventor James D. MCININCH

Title Computational Nucleic Acid Coding and Feature Analysis

Express Mail Label No.

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

22533 U.S. PTO  
10/775176

021104

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 77]  
(preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 11]
5. Oath or Declaration [Total Pages 2]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☒ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
  - ii. ☒ paper
- c. ☒ Statements verifying identity of above copies

**ACCOMPANYING APPLICATIONS PARTS**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: a copy of a Change of Correspondence Address and an Appointment of Associate Attorney

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: 09/698,213 / October 30, 2000

Prior application information: Examiner Carolyn L. Smith

Group / Art Unit: 1631

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label

28381

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Rachel L. Adams/Holly L. Prutz/  
David R. Marsh

Registration No. (Attorney/Agent)

54,660/47,755/41,408

Signature

Rachel L. Adams

Date

February 11, 2004

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# ARNOLD & PORTER LLP

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555 Twelfth Street, NW  
Washington, DC 20004-1206

February 11, 2004

## Mail Stop Patent Application

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Continuation Application  
Based on U.S. Application No. 09/698,213, filed October 30, 2000  
Appl. No.: To Be Assigned  
Filed: Herewith  
Title: **Computational Nucleic Acid Coding and Feature Analysis**  
Applicant: James D. MCININCH  
Atty. Docket: 16517.308

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (PTO):

1. Utility Patent Application Transmittal (PTO/SB/05);
2. U.S. Continuation Application entitled:  
**Computational Nucleic Acid Coding and Feature Analysis**  
and naming as inventor:  
**James D. MCININCH;**  
the application consisting of:
  - a. a specification containing:
    - (i). 64 pages of a description prior to the claims;
    - (ii). 12 pages of claims (44 claims);
    - (iii). 11 sheets of drawings (Figures 1-10c);
    - (iv). a one (1) page abstract;
    - (v). 7 pages of a paper copy of the sequence listing;

3. a preliminary amendment;
4. sequence listing in Computer Readable Form (CRF), on floppy diskette;
5. a Statement Regarding Sequence Submission;
6. a copy of a Combined Declaration and Power of Attorney, filed in parent application no. 09/698,213;
7. a copy of a Change of Correspondence Address, filed in parent application no. 09/698,213;
8. an Appointment of Associate Attorney;
9. a Recordation Form Cover Sheet;
10. a copy of an Assignment executed by James D. McNinch; and
11. two (2) return postcards.

This application is a continuation of U.S. Application No. 09/698,213, filed October 30, 2000. U.S. Patent Application No. 09/698,213 is herein incorporated by reference in its entirety.

Submitted herewith is a sequence listing in Computer Readable Form (CFR), on floppy diskette.

The sequence listing in Computer Readable Form (CRF) contains one file called "Sequence Listing BioInformatics.txt" which is 13,356 bytes in size (measured in MS-DOS) and was created on February 6, 2004.

Applicants request that \$810.00 for the following fees be charged to Deposit Account No. 50-2387, referencing matter number 16517.308:

\$ <u>770.00</u>	basic filing fee; and
\$ <u>40.00</u>	assignment recordation fee.

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# ARNOLD & PORTER LLP

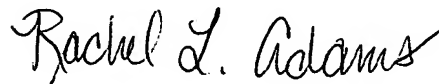
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Commissioner for Patents  
Atty. Dkt.: 16517.308  
February 11, 2004  
Page 3

Please stamp one of the two attached postcards with the filing date of these documents and return it to our courier, and stamp the other prepaid postcard with the filing date and unofficial application number and return it as soon as possible.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. §§ 1.16 or 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No. 50-2387, referencing matter number 16517.308. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Rachel L. Adams (Reg. Attorney No. 54,660)  
Holly Logue Prutz (Reg. Attorney No. 47,755)  
David R. Marsh (Reg. Attorney No. 41,408)

Attachments



# COPY

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<b>CHANGE OF CORRESPONDENCE ADDRESS Application</b>  Address to: Assistant Commissioner for Patents Washington, D.C. 20231	<b>Application Number</b>	09/698,213
	<b>Filing Date</b>	October 30, 2000
	<b>First Named Inventor</b>	James D. McIninch
	<b>Group Art Unit</b>	1645
	<b>Examiner Name</b>	To be assigned
	<b>Attorney Docket Number</b>	04983.0220.00US00/38-10(15494)A

Please change the Correspondence Address for the above-identified application to:					Place Customer Number Bar Code Label here
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I am the : <div style="margin-left: 40px;"> <input type="checkbox"/> Applicant.  <input type="checkbox"/> Assignee of record of the entire interest.              Certificate under 37 CFR 3.73(b) is enclosed.  <input checked="" type="checkbox"/> Attorney or agent of record.  <input type="checkbox"/> Registered practioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____         </div>					
Typed or Printed Name	June E. Cohan, Reg. No. 43,741				
Signature					
Date	April 3, 2001				
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.					
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